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June 18, 2024

Honorable Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Andre Calix, 20 Civ. 9680
(LAP) 18 Civ. 6323 (LAP) 13 Cr. 582
(LAP)

Dear Judge Preska:

We write to request the Court's leave to withdraw as counsel for Mr. Andre Calix.

As you know, Your Honor appointed me as CJA counsel to represent Mr. Calix on November 8, 2023 in connection with a pending petition for habeas corpus relief stemming from *Brady* disclosures from the Government. 20 Civ. 9680 Dkt. 14, 16; 13 Cr. 582 Dkt. 160, 161. However, Mr. Calix filed a letter dated May 15, 2024 with the Committee on Admissions

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and Grievances for the United States Court of Appeals for the Second Circuit alleging, in substance, that my law firm, my colleagues and I engaged in neglect and bad faith in our representation of Mr. Calix. The complaint also accuses this Court and me of being “complicit in [a] docketing issue.” We have attached Mr. Calix’s letter for reference as Exhibit A.

Mr. Calix’s letter places my firm, my colleagues and me in an adverse position to Mr. Calix. NY Rules Prof. Conduct 1.7(a) and 1.16(b); Local Civil Rule 1.4. Due to the irreparable breakdown of the attorney-client relationship, we respectfully request that this Court relieve me and my firm as counsel for Mr. Calix. Our understanding is that Mr. Calix will proceed *pro se* in this matter.

By: /s/ David B. Anders

David B. Anders

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Counsel for Andre Calix

CC: Thane Rhen, Esq.
Tim Capozzi, Esq.
Andre Calix

Mr. Anders is relieved as counsel for Mr. Calix. Mr. David M. Stern is hereby appointed as new CJA counsel for Mr. Calix.

The Clerk of the Court shall mail a copy of this Order to Mr. Calix.
SO ORDERED.

Date: 06/20/2024



LORETTA A. PRESKA, U.S.D.J.